

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Establishment – PRES – P.R. & R.D. Department - Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer (PR) – Imposition of minor penalty of “Censure” for his unauthorized absence and sanction of Extra-ordinary Leave (EOL) on medical grounds for the period from 04.12.2002 to 12.02.2003 and treat the absconded period from 13.02.2003 to 02.07.2003 as “Dies-Non –Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Estt.III) DEPARTMENT

G.O.Rt.No.931.

Dated:28.05.2012.
Read the following:-

1. Proceedings of the Engineer-in-Chief, Panchayat Raj, A.P., Hyderabad, Proceedings No.DIV/1/35339/97, dated 07.11.2003.
2. G.O.Rt.No.1710, P.R. & R.D. (Estt.III) Department, dated 06.12.2007.
3. From the Engineer-in-Chief, Panchayat Raj, Hyderabad, Letter No. Vig.4/35339/97, dated 20.09.2010, 31.01.2011 and 17.05.2011.
4. Orders of Hon'ble A.P.Administrative Tribunal, Hyderabad, in O.A.No.5833/2009, dated 03.11.2011.
5. From the Engineer-in-Chief, Panchayat Raj, Hyderabad, Letter No. Vig.4/35339/97, dated 20.12.2011.

ORDER:

In the proceedings 1st read above, Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer (PR), appointed under emergency provision of RWS Circle, Cuddapah, was discharged from duty w.e.f. 05.12.2002 since he has availed leave for more than (180) days w.e.f. 05.12.2002 to 03.07.2003, for which he is not entitled for.

2. In the G.O. 2nd read above, Government after careful examination, have suspended the proceedings 1st read above of Engineer-in-Chief, Panchayat Raj, Hyderabad and directed the Engineer-in-Chief, PR., Hyderabad to reinstate Sri B.J.Chandrakumar Reddy into service as Assistant Executive Engineer, pending disciplinary proceedings contemplated against him under Rule 20 of the APCS (CC&A) Rules, 1991. He was also directed to initiate disciplinary proceedings afresh under rule 20 of APCS (CCA) Rules, 1991 by framing definite articles of charges etc., against Sri B.J.Chandrakumar Reddy, Assistant Executive Engineer; keeping in view the G.O.Ms.No.383, General Administration (SER.C) Department, dt.19.12.2003 read with Govt. Memo.No.8388/Ser.C/2004, General Administration (SER.C) Department, dt.12.03.2004 and to take necessary steps to conclude the disciplinary proceedings within the stipulated time and dispose of the case with the concurrence of the Government.

3. In the Letter 3rd read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad, has stated that Disc. Proceedings were initiated against Sri B.J. Chandra Kumar Reddy, Assistant Executive Engineer by issuing charge Memo. for his unauthorized absence w.e.f. 05.12.2002. The individual has submitted his Written Statements of Defence for the charges framed against him. After examining the Written Statements of Defence of the Assistant Executive Engineer, the Superintending Engineer, (PR) Kadapa was appointed as Enquiry Officer to conduct enquiry in terms of Rule 20 of APCS (CC&A) Rules 1991. The Enquiry Officer has submitted his enquiry report and concluded that the charge framed against Sri B.J. Chandra Kumar Reddy, Assistant Executive Engineer is held proved. After examining the report of the enquiry officer a show cause notice was issued to Sri B.J. Chandra Kumar Reddy, Assistant Executive Engineer proposing a major penalty duly enclosing a copy of the enquiry report vide his office Memo. dated 06.07.2010. Sri B.J. Chandra Kumar Reddy, Assistant Executive Engineer has submitted his explanation, stating that the leave applied

from 4.12.2002 to 12.2.2003 is not an unauthorized one and so the charge of "proceeded on leave w.e.f. 5.12.2002 unauthorisedly without obtaining prior permission from the competent authority" will be held false. The Engineer-in-Chief, Panchayat Raj, Hyderabad, has further stated that the above individual has proceeded on E.O.L. from 04.12.2002 to 12.02.2003 on medical grounds and absconded from duty from 13.02.2003 to 02.07.2003. The Engineer-in-Chief, Panchayat Raj, Hyderabad, has therefore, recommended for imposing a minor punishment by continuing him in service, if Government relax the leave rules in his favour.

4. The Hon'ble A.P. Administrative Tribunal in its orders dated 03.11.2011 in O.A.No. 5833/2009 filed by Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer has directed to complete the disciplinary proceedings and pass final orders in pursuance of the charge Memo. dated 21.04.2008 , within a period of six weeks from the date of receipt of a copy of the order.

5. In the letter 5th read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad has requested the Govt., to relax the leave rules in favor of Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer (PR) and issue suitable orders in the matter.

6. Government, after careful examination of the matter, keeping in view of the orders of the Hon'ble A.P. Administrative Tribunal, Hyderabad, dated 03.11.2011 in O.A.No.5833/2009 and recommendations of the Engineer-in-Chief, P.R., Hyderabad, have decided to impose the minor punishment of "Censure" on Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer (PR); to sanction E.O.L. on medical grounds for the period from 04.12.2002 to 12.02.2003 in relaxation of Rule-6A and 23(a) (ii) of A.P. Leave Rules, 1933 and; to treat the absconded period from 13.02.2003 to 02.07.2003 as "Dies-Non" for all purposes viz., increment, leave and pension as per Note-1 under F.R. 18 read with Rule 5-B (Note-I) of A.P. Leave Rules.

7. Accordingly, Government hereby impose the minor punishment of "Censure" on Sri B.J.Chandra Kumar Reddy, Assistant Executive Engineer (PR) and sanction E.O.L. on medical grounds for the period from 04.12.2002 to 12.02.2003 in relaxation of Rule-6A and 23(a) (ii) of A.P. Leave Rules, 1933. The absconded period from 13.02.2003 to 02.07.2003 shall be treated as "Dies-Non" for all purposes viz., increment, leave and pension as per Note-1 under F.R. 18 read with Rule 5-B (Note-I) of A.P. Leave Rules.

8. The Engineer-in-Chief, Panchayat Raj, Hyderabad shall take necessary action in the matter, accordingly.

9. This order issues with the concurrence of Finance (FR.I) Department vide their U.O.No.6479/174/F.R.I./12, dated 27.03.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, Hyderabad.
The Pay and Accounts Officer, Hyderabad.
Copy to:
The O.S.D. to Minister (Panchayat Raj).
The Finance (FR.I) Department.
Sf/Sc.

// FORWARDED:: BY ORDER //

SECTION OFFICER